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PATENT

Case Docket No. AVAN IR.112A

Date: August 10, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jagadish C. Sircar, et al.
Appl. No. : 10/661,296
Filed : September 12, 2003
For : PHENYL-AZA-BENZIMIDAZOLE
COMPOUNDS FOR MODULATING
IgE AND INHIBITING
CELLULAR PROLIFERATION
Examiner : Unknown
Group Art Unit : 1614

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 11, 2004
(Date)

Connie C. Tong, Ph.D., Reg. No. 52,292

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (x) An Information Disclosure Statement.
- (x) A PTO Form 1449 citing four (4) references, 3 of which are enclosed herewith.
- (x) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (x) Return prepaid postcard.

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INFORMATION DISCLOSURE STATEMENT

Applicant : Jagdish C. Sircar, et al.
App. No. : 10/661,296
Filed : September 12, 2003
For : PHENYL-AZA-BENZIMIDAZOLE COMPOUNDS
FOR MODULATING IgE AND INHIBITING
CELLULAR PROLIFERATION
Examiner : Unknown

Group Art
Unit: 1614

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing four (4) references. A copy of the disclosed U.S. patent is not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of other three (3) references are enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

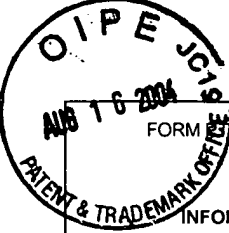
I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 11, 2004

By: Connie C. Tong
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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
AVANIR.112A

APPLICATION NO.
10/661,296

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT
Jagadish C. Sircar, et al.

FILING DATE
September 12, 2003

GROUP
1614

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)	
							YES	NO
	1	3,985,891	10/12/76	E. Kutter, et al. (This is the U.S. patent corresponding to DE 2,305,339)				

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	2	EP 0 700 906 A1	3/13/96	EP				

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

EXAMINER INITIAL		OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	3	T. Inoue, et al., "Preparation of Isoquinoline and isochroman derivatives for treating virus infectious diseases", Chemical Abstracts 139:307690, STN Search Accession No. 2003:796470
	4	P.K. Dubey, et al., "Studies on the condensation of 2,3 -pyridinediamines with 2-phenyl -3, 1-benzoxazine-4 (H) -one". Chemical Abstracts 131:322578, STN Search Accession No. 1999:580827

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	